

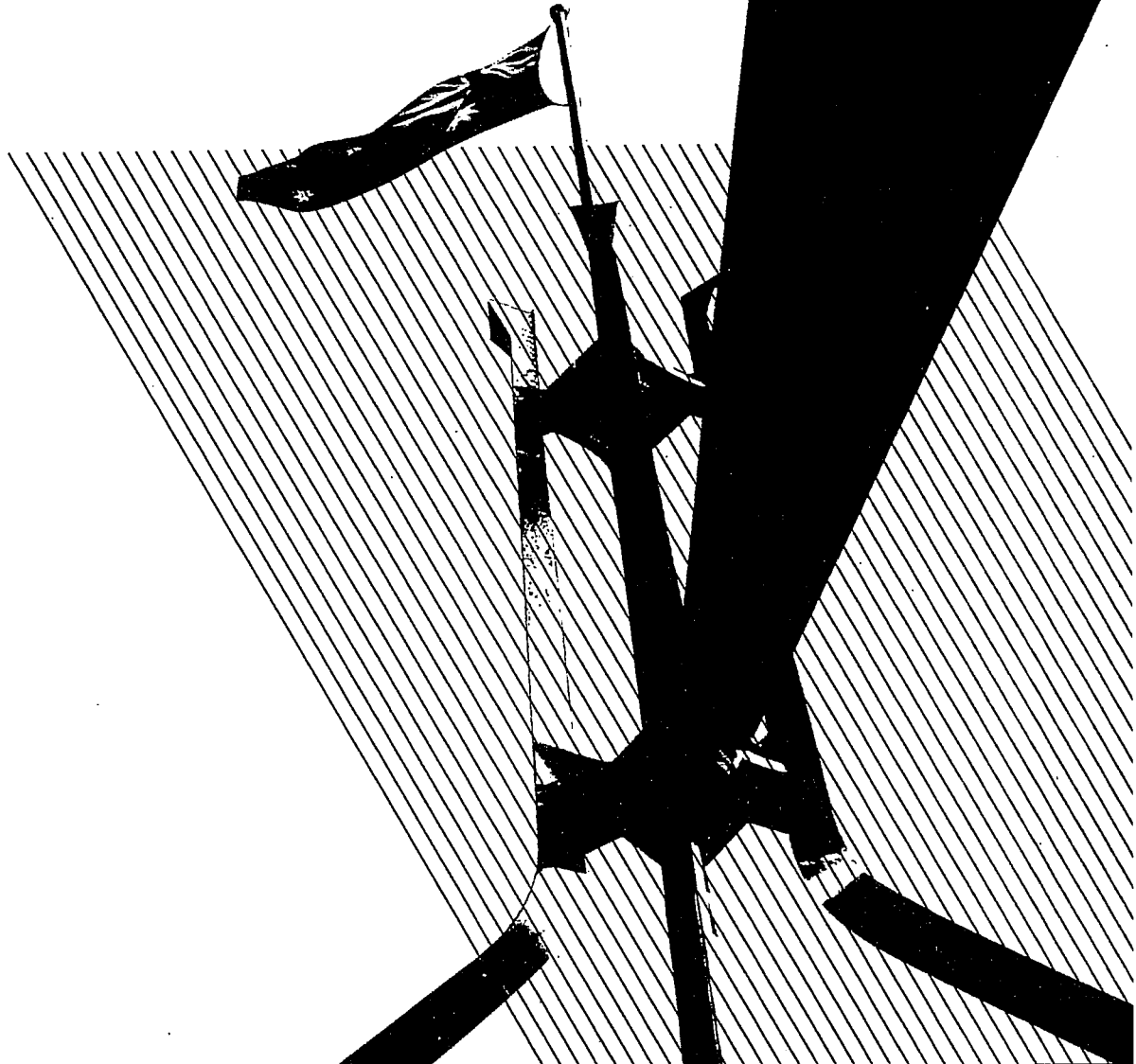
VOLUME D

PROTECTED: CABINET-IN-CONFIDENCE



Australian Government

Department of the Prime Minister and Cabinet



WHAT IS REQUIRED TO SET UP YOUR GOVERNMENT?

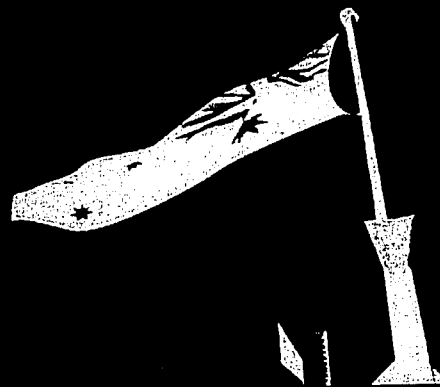
BRIEF TO THE PRIME MINISTER, THE HONOURABLE JULIA GILLARD MP

PROTECTED: CABINET-IN-CONFIDENCE

Contents

1. WHAT ARRANGEMENTS DO YOU NEED TO MAKE FOR YOU AND YOUR OFFICE?	3
Arrangements for your protective security	4
Travelling allowance	5
Car transport	5
Your information and communications technology facilities	7
2. WHAT DO YOU NEED TO KNOW ABOUT THE OFFICIAL ESTABLISHMENTS?	11
Issues for early consideration	12
Administrative responsibility for official establishments	12
Official Establishments Trust	13
Staffing	13
Other matters	14
Budget	15
Official Tenancies Security Working Party	16
Charity events	16
Guidance on use of official establishments	16

3. WHAT IS REQUIRED IN RELATION TO THE STAFFING AND ENTITLEMENTS OF MINISTERS AND OTHER OFFICE HOLDERS?	17
Ministerial staff	18
Staff of non-ministerial office holders	20
Ministerial consultants	21
Other staffing issues	21
Departmental liaison officers (DLOs)	22
Ministerial remuneration	23
Parliamentary entitlements	23
Benefits for former prime ministers while in Parliament	24
Other Matters	27



**1. WHAT ARRANGEMENTS DO YOU
NEED TO MAKE FOR YOU AND YOUR
OFFICE?**



a. **Arrangements for your protective security**

As you have already been briefed about protective security arrangements, we will not restate the details here. If you have any questions about your personal protection they can be directed to our Agency Security Adviser in the first instance.

i. *Security Clearances and Briefings*

ii. *National counter-terrorism arrangements*

b. Travelling allowance

No travelling allowance is payable when you stay overnight at The Lodge or Kirribilli House, where full facilities are provided at government expense, or any other 'home base' nominated by you.

When you stay at locations other than The Lodge, Kirribilli or your home base, and your stay relates primarily to your official business as Prime Minister, you are entitled to an allowance of up to \$520 for accommodation and sustenance. This is payable on production of a receipt for commercial accommodation or certification that a receipt can be produced on request. If no receipt is produced or no certification made, you are entitled to one third of that rate. The Commonwealth may pay costs above \$520 in exceptional circumstances.

You are not entitled to travel allowance in the city you nominate as your home base.

c. Car transport

i. In Canberra

ii. In other capital cities

You will have a dedicated driver in Melbourne (your home capital city) and preferred COMCAR drivers for the duration of your stay in each state capital except Darwin and Hobart.

An additional COMCAR pool vehicle can be provided as required.

iii. *Funding arrangements*

COMCAR operates the cars, and PM&C reimburses COMCAR when they are used by you.

Self-drive station wagons are allocated to and garaged at The Lodge and Kirribilli House for use by domestic staff. These vehicles are funded from the department's official establishments allocation.

iv. *Arrangements for Mr Mathieson*

It has always been accepted that the Commonwealth takes responsibility for the normal household arrangements of the Prime Minister's partner and any dependent children.

When on official duties, your partner is also entitled to the assistance of a member of the PMO from within your own staff allocation. Partners' assistants are employed under the *Members of Parliament (Staff) Act 1984 (MOPS Act)*, either on a full-time or part-time basis, depending on preference. Mrs Keating and Mrs Hawke both had full-time assistants. Mrs Howard did not.

Mr Mathieson is entitled to accompany you at official expense on official overseas travel and when you are travelling in Australia on official business. He is also entitled to the cost of unaccompanied travel in Australia for 'official purposes', including the cost of fares, accommodation, meals and incidentals. An official purpose is not defined but would sensibly be taken to include travel related to activities arising from the fact that he is the partner of the Prime Minister.

Mr Mathieson may also use COMCAR for official purposes but not for private purposes.

Finance has advised that there is no provision in the *Parliamentary Entitlements Act 1990*, other than the Prime Minister's electorate car, for a private-plated vehicle for the partner of a Prime Minister for his or her personal use.

Remuneration Tribunal Determination 18 of 2006 provides a private-plated vehicle for each senator and member for 'parliamentary, electorate or official business, family travel and

private purposes, but not for commercial purposes'. This vehicle may be used by any persons nominated by the senator or member. The disadvantage of this arrangement is that relocating your electorate car to Canberra would remove it from your electorate.

Alternatively, you and Mr Mathieson may wish to establish your own private arrangements regarding a car for Mr Mathieson.

v. *Budget for your office*

The department will administer a budget of \$2.0 million on behalf of the PMO in 2010–11. Rent and maintenance costs for the Prime Minister's offices in Sydney and Melbourne account for \$0.9 million of the budget. The salaries and on-costs of two departmental liaison officers (DLOs) will cost a further \$0.3 million. \$0.4 million is allocated to travel, mostly reflecting COMCAR transport costs. The remaining budget is allocated to communications expenses of \$0.3 million, including office and mobile phone costs, and general office expenses of \$0.1 million, including newspapers, office requisites and classified waste destruction.

Table 1: 2010–11 Budget for Prime Minister's Office

Expense	2010–11 Budget \$ million
Rent and property maintenance costs	0.9
Departmental liaison officers	0.3
Travel and COMCAR transport costs	0.4
Communications	0.3
General office costs	0.1
TOTAL 2010-11 BUDGET	2.0

d. **Your information and communications technology facilities**

The PM&C Information Services Branch is responsible for the provision of communication support to the PMO, PM&C and a number of other government agencies. The Branch also manages the delivery of seven different classified networks to support a range of business requirements for the department and your office.

i. Overview of computer and telephone services

The department provides and manages all computer and telephone equipment and services to support you and your staff in the office, at home and while travelling. Computer and telephone support and equipment can also be provided to selected parliamentary secretaries and ministers at your discretion.

Your website (www.pm.gov.au) is maintained by the department and can be modified to meet your requirements and preferences.

ii. Protected-level computer access

The primary computer network used to support you and your staff is a Windows-based system, which is authorised to process classified information up to PROTECTED: CABINET-IN-CONFIDENCE. The network extends to your offices in Sydney, Brisbane and Melbourne. Internet access is also provided through this network.

Over the next few days, PM&C staff will be available to assist with training and setting up email. If needed, we can also assist you and your staff to move information from personal equipment onto secure equipment supplied by the department.

iii. Systems to support Cabinet (CABNET)

The Cabinet Secretariat operates the CABNET system (rated to SECRET) to provide a secure method of managing and distributing Cabinet documents to relevant ministers' offices in Parliament House and to their departments. Since late 1998 all Cabinet documents, including business lists, submissions/memorandums and minutes, have been made available to ministers' offices via CABNET.

iv. Telephone and voice services

The telephone system used in the PMO is operated and maintained by the Department of Parliamentary Services, but telephone services to the official residences and mobile telephone services are provided by the department.

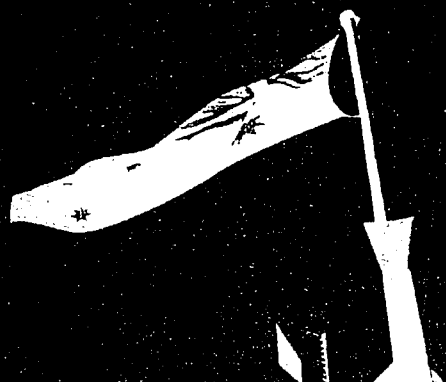
We will also arrange for secure mobile telephone equipment to be made available to you and your staff. These devices will allow you to make calls up to TOP SECRET to other ministers, departmental secretaries and agency heads.

vi. *Access to other secure communication services provided by other Government agencies*

The PMO has access to the Department of Foreign Affairs and Trade (DFAT) SATIN High system which is rated to SECRET. The system allows cables and email to be sent and received through a secure system direct from SATIN desktops to DFAT's central office in Canberra and state offices. Thirteen agencies in Canberra and approximately ninety overseas posts are connected to the system.

vii. *Advice and assistance on ICT security matters*

Departmental staff are available to provide you or your staff with advice and assistance on any other ICT requirement, including advice on information security matters.



2. WHAT DO YOU NEED TO KNOW ABOUT THE OFFICIAL ESTABLISHMENTS?



a. Issues for early consideration

i. Essential works

On the advice of engineering experts, Finance believes that work is required before you and your partner can move into The Lodge. PM&C is presently assessing the time required to undertake this work. We are also looking at alternate options for accommodating you in Canberra during this period. A separate brief will be provided to you.

In addition, there is a significant backlog of maintenance that will need to be progressed over the next six months. The most significant is the restoration of the roof at The Lodge, which is in need of replacement over the next 12 months. A separate brief will be provided on the extent of potential works and possible disruption to the operations of The Lodge.

b. Administrative responsibility for official establishments

The day-to-day management of The Lodge and Kirribilli House is undertaken by the Official Establishments Unit (OEU) in PM&C.

Officers of the OEU support you and your household by managing The Lodge and Kirribilli House and providing secretariat support to the Official Establishments Trust (the Trust).

The OEU oversees the staffing, administration, repairs, maintenance and restoration requirements of the residences, together with payment of accounts and budget management. It also manages the contracts for the grounds and garden maintenance at both residences and liaises with relevant security agencies as required. This role is undertaken in close consultation with you and other members of your household.

The OEU provides advice on the official establishments consistent with their status as part of the National Estate, drawing upon advice from the Trust and relevant heritage agencies. The department is currently negotiating the transfer of the property management aspects of the official establishments to Finance.

Responsibility for the security of the residences lies with the Protective Security Coordination Branch (PSCB) of the Attorney-General's Department, in close consultation with the department.

c. Official Establishments Trust

In 1976 the Government appointed the Committee on Official Establishments to advise on matters relating to the four official establishments (the two residences for the Prime Minister and the two residences for the Governor-General). The final report of that committee, issued in May 1979, recommended the Trust be established.

The role of the Trust is to provide considered and objective advice on the conservation and development of the official establishments' buildings and grounds and on the standards and adequacy of the facilities and accommodation they provide. The Trust undertakes its advisory role in consultation with the occupants of the houses and officials of the department and the office of the Official Secretary to the Governor-General. The Trust ensures that the personal preferences of the occupants are taken into account, particularly respecting the private areas of the residences.

d. Staffing

The Lodge currently has four full-time staff members and one part-time staff member (House Manager, Senior Chef, Chef, House Attendant full-time and House Attendant part-time). At Kirribilli House there are two full-time staff members (House Manager/Senior Chef and House Attendant). The staff are employed by you under the MOP(S) Act.

You have already delegated this power to the Secretary of the department. We will consult your office about staffing arrangements over the coming weeks.

The staffing level required at the residences will depend upon your preferences, including whether you require household staff to be present for all meals and the level of staffing required for weekends.

The department has recently completed a review of the terms and conditions of the Prime Minister's domestic staff. The recommended change to an annual total remuneration, rather than the current composite salary with various allowances, is supported by all staff and will result in greater certainty of income and more flexibility in their hours. The Department of Education, Employment and Workplace Relations (DEEWR) has assessed the proposed MOP(S) Act Determination implementing the review recommendations as being consistent with the Australian Government Employment Bargaining Framework.

We will provide you with more information in a separate brief.

e. Other matters

i. Draft Conservation Management Plans and Strategic Plans

In December 2009 the department engaged Design 5 as heritage architects for both residences. Design 5 is preparing Conservation Management Plans and Strategic Plans for both residences. The draft plans for The Lodge have been provided and are being assessed by the department. Work on developing the plans for Kirribilli House will commence shortly.

The contract with Design 5 will be managed by Finance if the transfer of responsibilities occurs, as outlined in Volume A.

ii. The Australiana Fund

The 1976 Committee on Official Establishments was also asked to advise the Government on the purchase of objects which would be suitable for the official establishments and should be preserved in the national interest.

In its 1977 interim report, the Committee recommended that an 'Australiana Fund' be established to encourage private gifts, donations and loan of art works, antiques, furnishings and material (Australian and other) of historical interest and importance to the official establishments.

The Government accepted the recommendation and the Fund was incorporated in March 1978 as a public company limited by guarantee, to acquire and preserve appropriate decorative items for display and use in the official establishments or in any other place determined by the board of directors of the Fund. The Fund is non-political and self-governing.

Since 1995, the department has paid a Grant-in-Aid to the Fund, designed to contribute to the salary costs of the Fine Arts Adviser and associated accommodation and administrative

expenses. Earlier this year, Prime Ministerial approval was given to pay the grant at the reduced rate of \$98,000 in 2009–10, 2010–11 and 2011–12.

The Fund's acquisitions are financed from its own resources, raised from direct public participation and corporate donations. The Commonwealth does not provide any funding for acquisitions. The collection of furniture, paintings and fine and decorative works of art is lent to the official establishments by the Fund for display in the residences. The current value of the collection exceeds \$7 million.

To assist the Fund raise money for acquisitions, the four official establishments are usually made available annually for open days. This year, arrangements are being made to open Kirribilli and Admiralty Houses on 12 September. Government House will be open on 10 October, with the inclusion of The Lodge for the open day yet to be confirmed. The open days are organised in consultation with the department, in conjunction with you.

f. Budget

The administered appropriation for the Prime Minister's official residences (managed by the department) in 2010–11 is \$1.866 million. Operating costs (including staff wages, food, beverages, household requisites, maintenance and conservation, and purchase of replacement furniture, fittings and equipment) are met from this appropriation. A portion (approximately \$225,000) is expected to transfer to Finance to reflect the transfer of the repairs and maintenance function.

i. Determination of accommodation and sustenance entitlements

The Remuneration Tribunal has determined that the Prime Minister's 'accommodation and sustenance' at the official establishments shall be provided at the Government's expense. The relevant determination does not define 'accommodation and sustenance' and makes no reference to other household members. However, it has always been accepted that the entitlement extends to the Prime Minister's partner and any dependent children.

The Tribunal does not provide a specific definition of a dependent child in relation to the official establishments. However, in relation to entitlements for members of parliament, a dependent child is defined as 'a person under 16 or a person who is at least 16 but under 25 and is wholly or substantially dependent upon the senator or member'. This definition has previously been adopted in relation to the Prime Minister's official residences.

The definition is interpreted as covering domestic costs such as food and beverages, official functions and personal items such as toiletries and dry cleaning but excludes private functions, clothing purchases and personal grooming and medical costs.

g. Official Tenancies Security Working Party

The Official Tenancies Security Working Party is chaired by PM&C and includes officers from PM&C, the Attorney-General's Department and the AFP. Finance will also attend once the transfer occurs. The Working Party meets regularly to discuss security issues relevant to the official establishments, your offices and your private residences.

h. Charity events

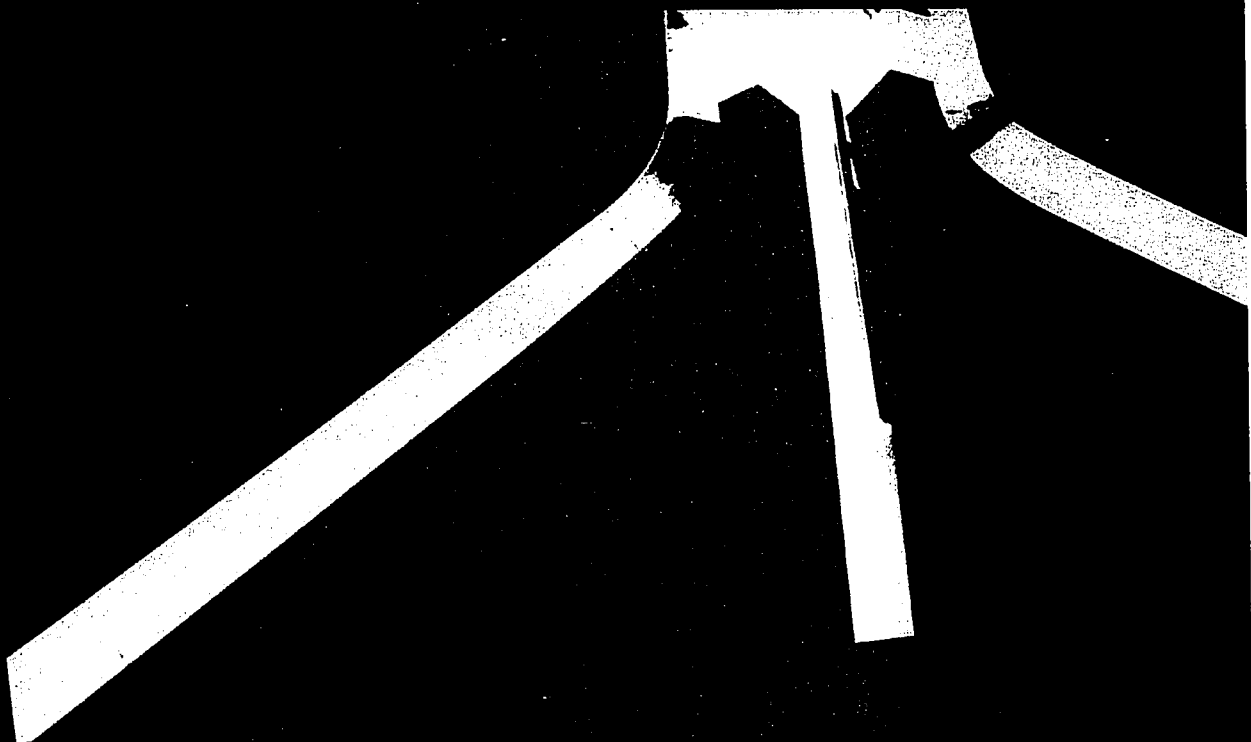
In May 2008 the Prime Minister announced that Kirribilli House would be made available for use by charitable organisations. Since then 22 functions, ranging from small dinner parties to cocktail functions for up to two hundred people, have been held at the residence. The functions are organised by the OEU, the House Manager and the relevant charity, in consultation with your office. Feedback from all the charities involved has been very positive. Generally, events are scheduled for sitting days when you are likely to be in Canberra.

A full brief on the next round of events will be provided shortly.

i. Guidance on use of official establishments



**3. WHAT IS REQUIRED IN
RELATION TO THE STAFFING AND
ENTITLEMENTS OF MINISTERS
AND OTHER OFFICE HOLDERS?**



a. Ministerial staff

The MOP(S) Act covers arrangements for the engagement of:

- personal staff of office holders and ministers, engaged under Part III
- consultants, engaged under Part II, and
- electorate staff, engaged under Part IV.

The MOP(S) Act also allocates a number of other powers to the Prime Minister and provides that employment of all categories of staff is in accordance with arrangements approved by you. Most of a Prime Minister's powers under the MOP(S) Act have been delegated under successive governments to the minister responsible for ministerial services. On 8 July 2010 you delegated your powers under the MOP(S) Act to the Cabinet Secretary and Special Minister of State, Senator Ludwig. Subject to your decisions on ministerial arrangements, you may need to issue a new delegation. We will brief you separately on this matter as necessary.

It is common for public servants to occupy some ministerial staff positions and be employed in that capacity under the MOP(S) Act. This practice is encouraged, not least because it contributes to effective cooperation between departments and ministerial offices.

i. Selection and appointment processes

Part III of the MOP(S) Act empowers ministers to employ staff in accordance with arrangements and conditions determined by the Prime Minister. These staff are additional to the four electorate officers all members and senators employ under Part IV of the MOP(S) Act.

As you know, the former Prime Minister established a Government Staffing Committee for the purpose of ministerial staffing decisions. The Committee consisted of you, in your capacity as Deputy Prime Minister, the Special Minister of State and the Prime Minister's Chief of Staff.

ii. Staff numbers

The Prime Ministerial powers under the MOP(S) Act allow you to impose limitations on the number of staff in each minister's office as you consider appropriate.

As part of an election commitment, the previous Prime Minister initially imposed a limit of 334 on the number of staff the Government would employ. Following a review of staffing arrangements in February 2009, the limit was increased to 368. Staff allocated to Whips were not included in either Government or Opposition staffing numbers.

Table 2: Allocation of Government staff as of 1 June 2010

Offices	Positions
Prime Minister	50
Cabinet ministers (19)	219
Non-Cabinet ministers (10)	68
Parliamentary secretaries (11)	26
Caucus Committee Support and Training Unit	5
Total	368

iii. Remuneration and other terms and conditions

The remuneration and other terms and conditions for staff employed under the MOP(S) Act are specified in the Commonwealth Members of Parliament Staff Enterprise Agreement 2010–12.

iv. Parliamentary staff allowance

Occupants of all ministerial staff positions receive a parliamentary staff allowance (PSA) by way of compensation for long and irregular hours and other special features of staff positions. Overtime is not payable nor time off in lieu in recognition of additional hours worked.

The rates of PSA payable to staff is set out in the Commonwealth Members of Parliament Staff Enterprise Agreement 2010–12 and are currently set at:

- \$27,500 per annum for senior staff
- \$25,000 per annum for advisers/media advisers/assistant advisers
- \$20,900 per annum for MOPS 4 and above, and
- \$16,400 per annum for MOPS 3 and below.

v. *Personal classifications*

Office holders may seek to have staff paid at a rate outside their relevant salary band in recognition of individual skills and responsibilities. When the individual vacates the position it reverts to the substantive classification.

Under the Howard Government, personal classifications were subject to the approval of the Prime Minister, the demonstration of particular skills and responsibilities and the availability of funds. Mr Rudd retained this system.

b. **Staff of non-ministerial office holders**

Part III of the MOP(S) Act empowers office holders to employ staff in accordance with arrangements and conditions determined by the Prime Minister, in addition to the four electorate officers all members and senators employ under Part IV of the MOP(S) Act.

Office holders specified in the MOP(S) Act include:

- the Leader of the Opposition
- the leaders of any recognised minor party, and
- any former Prime Minister who has left the parliament.

In addition, under section 12 of the MOP(S) Act, you can determine that particular senators and members (such as the Presiding Officers, Whips, shadow ministers, recognised non-government parties and independents) may employ staff.

c. Ministerial consultants

Under Part II of the MOP(S) Act, ministers may engage consultants, with your approval and on terms and conditions determined by you.

The consultancy provisions:

- provide for the short-term engagement of people or organisations, chosen for their specialist skills, technical expertise or political background, to work on particular projects in the minister's office or department, separate from the day-to-day tasks of administration and advice that properly belong to staff members
- allow for flexible employment and remuneration arrangements, including more generous remuneration and part-time arrangements, and
- allow for appointment of consultants for terms of up to three years, with engagements ceasing automatically when the engaging minister ceases to hold office or administer the relevant department.

The Keating Government allowed each Cabinet minister to engage up to two full-time consultants at any one time. Non-Cabinet ministers had no automatic entitlement. These consultants were included in government staffing numbers. Under the Howard Government consultants were engaged by the Prime Minister (but only irregularly) and there was no automatic entitlement for any minister. Mr Rudd did not engage any consultants and nor did any of his ministers.

d. Other staffing issues

- i. Security clearance and access to intelligence reporting*

ii. *Statement of private interests*

Under your previous government, at the time of commencing their employment, ministers' staff (including electorate officers) were required to make declarations of interests to their employing minister, with non-advisory staff being required to submit declarations to their respective chiefs of staff.

Under the Howard Government, staff (including electorate officers) were required to complete statements of private interests, with the employing minister endorsing the statement in writing after satisfying himself or herself that there were no conflicts of interest.

e. **Departmental liaison officers**

While the range of duties performed by departmental liaison officers (DLOs) will depend to some extent on the work priorities of ministers, their principal role is to facilitate liaison on administrative and policy matters between the minister or parliamentary secretary and the department and agencies. DLOs are employed under the *Public Service Act 1999* and remunerated by their employing department or agency. Most agencies provide DLOs with an additional allowance as compensation for long and irregular hours.

It is usual for DLOs to be at a classification of APS 5 to Executive Level 2. By allowing DLOs to be engaged up to EL2 level there is an acknowledgment that DLOs will do more than move papers between the minister's office and the department. While it is realistic to expect that there will be some policy input with more senior officers, a DLO should not assume the role of a policy adviser to the minister.

Under the Howard Government two DLOs were usually allocated to each Cabinet minister and one to each non-Cabinet minister and parliamentary secretary, with additional DLOs allocated to ministers responsible for large portfolio agencies, such as the Australian Taxation Office, Medicare Australia and Centrelink. There were 69 DLOs at the end of the Howard Government and 82 DLOs as at 23 June.

Table 3: Number of DLOs allocated to ministers and parliamentary secretaries as at 23 June 2010

Offices	Number of DLOs
Cabinet ministers (including the Prime Minister) (20)	51
Non-Cabinet ministers (10)	18
Parliamentary secretaries (11)	13

The increase in DLO numbers is partially explained by the fact that it was more common under the previous government for ministers to be appointed to administer more than one portfolio.

f. Ministerial remuneration

The last increase in remuneration for members and senators, on 1 October 2009, took their base salary to \$131,040 per annum. The President of the Remuneration Tribunal has advised that the next increase in remuneration for Principal Executive Offices will be issued in the week beginning 23 August 2010. We understand that the Tribunal intends the increase to be retrospective to 1 August 2010.

g. Parliamentary entitlements

The previous government commissioned a review of parliamentary entitlements following the report of the Australian National Audit Office into the Administration of Parliamentarians' Entitlements by Finance (the Belcher Report). The review committee, chaired by former public servant Ms Barbara Belcher AM, was commissioned to provide advice and recommendations to government on:

- developing a single, principles-based legislative basis that authorises the provision of specified entitlements, identifies who is eligible to access these entitlements and in what circumstances, and the purposes for which these entitlements may be used
- framework changes that remove instances of overlap, duplication, inconsistency and gaps in the provision of entitlements

- defining, in regulations and/or legislative instruments, key terms and the scope and any limits on entitlements use
- improving transparency in the use of taxpayer-funded parliamentary entitlements
- enabling accountability processes to be mandated, and
- recommending possible improvements to the protocol for handling allegations of misuse of entitlements.

The Belcher Report was provided to your previous government, but had not been released before the election was called.

i. Overseas travel

The Prime Minister has, in the past, been responsible for approving overseas travel of ministers, parliamentary secretaries and their staff. The travel has been funded by Finance (administered funding).

Under previous governments, ministers were asked around March and October each year to provide an outline of travel proposals for the next twelve months. This enabled the relative merits of each travel bid to be assessed on a whole-of-government basis and decisions made in-principle as to whether they should be approved. These decisions were subject to confirmation closer to the time of departure, when more details were available. If you adopt a similar approach it will be necessary to establish a program for the 2011 calendar year and we would provide separate briefing on this matter.

If you agree we will prepare letters for your signature to all ministers seeking their travel proposals for the remainder of this year and for the 2011 calendar year.

h. Benefits for former Prime Ministers while in Parliament

Former Prime Ministers are granted certain benefits at the discretion of the Prime Minister of the day. These are additional to entitlements they have in common with other parliamentarians (while they remain in Parliament) and entitlements they have by virtue of

legislation (including superannuation and Life Gold Pass entitlements) upon retiring from Parliament.

Additional benefits are in recognition of former Prime Ministers' service to the public and are provided to help them meet continuing commitments arising from their former duties.

Similar entitlements are also granted to former Leaders of the Opposition while they remain in Parliament, but they cease when the former leader leaves or becomes a minister. There has not been a recent case of a former Prime Minister becoming Leader of the Opposition.

Over the years a standard package has developed (subject to minor variations by the Prime Minister) and has been granted to all former Prime Ministers. A different package of benefits is provided to former Prime Ministers who have left the Parliament.

The components of the standard package are listed below.

i. Travel

Former Prime Minister (with accompanying partner)

- travel at the highest class available by scheduled services within Australia, including external territories (Norfolk Island, Christmas and Cocos [Keeling] Islands)
- in the capital city of the former Prime Minister's home state, a choice between:
 - allocated car and driver with the additional option of appointing the driver as personal staff, and
 - private-plated car with the option of engaging a driver as personal staff, plus access to pool transport
- access to pool transport elsewhere in Australia, and
- access to cars at overseas posts that maintain a car fleet, but for specific journeys only rather than on the basis of a dedicated, on-call service (noting the entitlement does not extend to the use of commercial hire car vehicles).

Former Prime Minister only

- travel allowance at the ministerial rate when travelling in capacity as former Prime Minister.

Partner of former Prime Minister

- access to pool transport within Australia when travelling at official expense.

ii. *Office accommodation*

In addition to the backbench entitlement to an electorate office within their electorate:

- an office (furnished, equipped and with unlimited postage for official purposes) to accommodate the former Prime Minister and the staff additional to electorate staff, in the city in which they have their residence, and
- an official telephone and facsimile at each residence and a mobile telephone.

iii. *Staff*

In addition to the backbench entitlement to three electorate officer positions and any positions as an Opposition office holder:

- one position not above Assistant Adviser (\$66,868–80,205 per annum plus Parliamentary Service Allowance of \$25,000 per annum), and
- one position not above Adviser Level 2 (\$91,310–118,363 per annum plus Parliamentary Service Allowance of \$25,000 per annum).

Mr Rudd was also provided with an additional position at the Senior Adviser level for a period of twelve months to assist with transitional arrangements, as well as access to mobiles/Blackberrys and laptops for his personal staff. We suggest that mobiles/Blackberrys and laptops be included in the standard package.

iv. *Staff travel*

In addition to the staff travel budget for two of the three electorate officer positions, the positions of adviser, assistant adviser and one nominated electorate officer are entitled to unrestricted travel at economy class within Australia for official purposes at the direction of the former Prime Minister.

v. *Security assessment*

i. Other Matters

i. Transitional arrangements for outgoing ministers

Under the MOP(S) Act, staff whose employer ceases to hold office will have their employment terminated two weeks after the date that the office holder loses office. These staff can be re-employed in the offices of other office holders. Staff members who are public servants return to their departments as soon as practicable.

ii. Opposition staff

Under the MOP(S) Act, you may determine the number of staff that may be employed by Opposition office holders, and their classification.

In 2007, Mr Rudd agreed to continue the Opposition staffing allocation at 21 per cent of the Government allocation, reviewed in March each year. This maintained the ratio between the Government and Opposition staffing numbers that existed under the Howard, Keating and Hawke Governments. Taking into account the current Government staffing figure of 368, this ratio provided 77 staff to the Opposition.

iii. Minor party and independent staff

In the previous Parliament, a total of 19 staff positions (additional to electorate staff) were allocated to the Australian Greens (12), Family First (2), Senator Xenophon (2) and the three House independents (3). We will brief you further about such positions in light of the election result.

iv. Access to papers of former governments

Successive governments have accepted the convention that ministers do not seek access to the deliberative documents of their predecessors, including Cabinet documents and other documents revealing ministerial deliberations.

Where continuity of administration requires reference to decisions of a former government, departments will provide ministers with summaries of facts and operative decisions necessary for an understanding of current issues. This includes, if essential to that understanding, summaries of Cabinet Minutes of a previous government.

This convention does not affect departmental or other papers of a factual nature generated under a previous government.